

**Comment re:** Draft Recommendations of the CCWG-Accountability-WS2 on SO/AC Accountability <https://www.icann.org/public-comments/soac-accountability-2017-04-14-en>

Thank you for the opportunity to comment, my comments are below:

1. From [my questions submitted to ICANN](#) (pdf) not yet answered, in advance of the last ICANN quarterly stakeholder call on April 27, 2017:

**Domain name registrants** have very little representation within ICANN—other than trademark holders (GNSO-IPC) and corporate interests (GNSO-BC)—and ICANN excludes most domain name registrants from its GNSO and even the larger “ICANN community” structure has no identifiable group effectively voicing consumer (registrant) issues within ICANN. ALAC says it represents 3½ billion internet “end users,” not specifically domain name registrants, and when it comes to domain name registrants’ issues, the ALAC is usually MIA (missing in action).

As a result, ICANN neglects, even ignores, consumer (domain name registrant) issues. For example, the “new gTLD base registry agreement” is sorely lacking in consumer (registrant) protection provisions.

It appears ICANN is not concerned with, and may even be ‘hostile’ to most domain name registrants’ (consumers’) issues and interests, instead, catering to well-funded special interest groups, such as [INTA](#) (which [ICANN even joined!](#)), and the “contracted parties,” particularly new gTLD registry operators’ concerns, problems, and issues. Is ICANN still relying on NTIA and the (U.S.) Federal Trade Commission to provide consumer protection in the area of gTLD domain names? If yes, then why did ICANN (including the “ICANN community”) tell the world it was ready for the “IANA transition” and no longer needed U.S. government (or any other governmental) oversight? Do any of you REALLY think ICANN is doing a “good job” for domain name registrants in the area of consumer (registrant) protection and domain name registrants’ issues in general? In December, 2008, the U.S. Department of Justice Antitrust Division told ICANN:

*“ICANN is obligated to manage gTLDs **in the interests of registrants** and to protect the public interest in competition.”—[U.S. Department of Justice, Antitrust Division, December 3, 2008](#) (pdf) via a [U.S. Department of Commerce \(NTIA\) letter](#) (pdf) in December, 2008 (emphasis added).*

I submit that ICANN (including its “ICANN community”) is failing in its obligations noted by the DOJ Antitrust Division above, and further, that the “ICANN community” is neither representative of, nor **accountable** to, most domain name registrants who comprise a core constituency of the **global internet community** as “consumers” of domain names.

The “ICANN community” structure is not balanced, and fails to reflect a fair, proportionate, and **accountable** representation of the full global internet community. The “ICANN community” structure needs to be reformed or replaced in order that there may be an **accountable** and properly balanced representation of the full global internet community, including all registrants, and other constituencies presently excluded or marginalized.

**2.** “On 2 May [2017] ITEMS International completed its Review of the **At-Large Community** and submitted its Final Report to ICANN ... A **key conclusion** of our Report is that the **current ALS organisational structure is not effective** and acts as **a barrier to end-user involvement**. **Our proposal** to replace this construct with an individual membership structure **has met with considerable resistance from within the At-Large leadership**, yet we believe that reform in this area is of critical importance for At-Large.”  
<https://www.icann.org/en/system/files/correspondence/mackenzie-et-al-to-icann-board-03may17-en.pdf>

**3.** As background in support of the above, incorporated by reference is my comment submitted May 19, 2017, re: Competition, Consumer Trust And Consumer Choice Review Team Draft Report: <http://mm.icann.org/pipermail/comments-cct-rt-draft-report-07mar17/attachments/20170519/2c6e9f19/CCT-RTComment.pdf> .

Respectfully submitted,

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